

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

APPLE INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 22-1378-JLH
	)	
MASIMO CORPORATION and	)	<b>JURY TRIAL DEMANDED</b>
SOUND UNITED, LLC,	)	
	)	
Defendants.	)	
	)	
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MASIMO CORPORATION and	)	
CERCACOR LABORATORIES, INC.,	)	
	)	
Counter-Claimants,	)	
	)	
v.	)	
	)	
APPLE INC.,	)	
	)	
Counter-Defendant.	)	

**PLAINTIFF AND COUNTERCLAIM-DEFENDANT APPLE INC.’S  
MOTION FOR JUDGMENT AS A MATTER OF LAW  
OR, IN THE ALTERNATIVE, FOR A NEW TRIAL**

Pursuant to Federal Rule of Civil Procedure 50(b), Plaintiff and Counterclaim-Defendant Apple Inc. moves for judgment as a matter of law that: (i) Defendants infringe claim 13 of U.S. Patent No. 11,474,483 patent (the “’483 patent”); (ii) claim 13 of the ’483 patent is not invalid; and (iii) Defendants infringe claim 1 of U.S. Patent No. 10,987,054 (the “’054 patent”). In the alternative, Apple moves for a new trial pursuant to Federal Rule of Civil Procedure 59(a) on: (i) infringement of claim 13 of the ’483 patent; (ii) validity of claim 13 of the ’483 patent; and (iii) infringement of claim 1 of the ’054 patent. Apple respectfully requests that the Court grant the motion based on the evidence presented at trial, as well as the grounds set forth in Apple’s

supporting brief and accompanying evidence, which will be filed according to the post-trial briefing schedule stipulated by the parties and ordered by the Court. *See* -1378, D.I. 784.

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Respectfully submitted,

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